



**MINUTES OF THE CITY COUNCIL MEETING OF
THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, September 1, 2009, 8:00 p.m.**

MEETING

The Meeting of the City Council was called to order by Mayor Sweeney at 8:00 p.m., followed by the Pledge of Allegiance led by Council Member Quirk.

ROLL CALL

Present: COUNCIL MEMBERS Zermeño, Quirk, Halliday, May, Dowling, Henson
MAYOR Sweeney
Absent: COUNCIL MEMBER None

CLOSED SESSION ANNOUNCEMENT

City Attorney Lawson reported that Council met with Legal Counsel pursuant to Government Code 54956.9 regarding Rental Housing Owners, etc. v. City of Hayward, Alameda County Superior Court No. HG09433908; pursuant to Government Code 54956.9 (c); and pursuant to Government Code 54956.9 regarding Eden Gardens MHP, LLC v. City of Hayward, et al, Alameda County Superior Court No. RG08-395185 and Eden Gardens MHP, LLC v. City of Hayward, et al, Alameda County Superior Court No. HG09-460275. There was no reportable action.

PRESENTATION

Business Recognition Award – Lucky Store in Downtown Lucky Center

The Business Recognition Award for September 2009 was presented to Lucky Store in Downtown Lucky Center. Lucky was a leader in the transition from small stores to supermarkets and is now owned by Save Mart Supermarkets. With 95 employees, half full-time and half part-time, the Downtown Lucky has sales over \$4 million per quarter and Lucky is the third largest food retailer in California. Lucky also offers a program called Supporting Humanities, Arts, Recreation, Education and Sports Program (SHARES) in the communities they serve. Downtown Lucky has contributed to Hayward by: locating in Hayward to serve the community; providing job opportunities to local residents; being an industry leader; providing charitable contributions to the local community and; contributing to the overall economic well being of the Hayward community. Mr. Mike Wamsley, Store Manager, accepted the award and thanked Council for such an honor.

PUBLIC COMMENTS

Ms. Gina Pacaldo, Prospect Street resident and New Haven Unified School District employee, mentioned an unfortunate incident where a missing person committed suicide. Ms. Pacaldo said that the Hayward Police Department failed to indicate that a missing person's report can be forwarded to the appropriate jurisdiction. She asked about suicide prevention for the youth and suggested that a pamphlet with suggestions and concerns to prevent suicides be generated.

DRAFT

Ms. Wynn Greich, Industrial Parkway resident, mentioned the Russell City Power Plant meeting for September 2, 2009. She encouraged the audience to watch the video, which mentions the elements in water such as arsenic and lead. She mentioned the fluoride and its correlation to diseases.

Indy Nelson, Westbourne Court resident, spoke about a district-wide environmental service project called "Storm Drain Marker Project," that through research will create and/or replace storm drain markers. Indy Nelson noted that the State grant monies for this project will help the State and the City. He invited Council to come to educational workdays on September 12th and 13th, October 3rd, 4th, 17th, and 18th at the parking lot of the Hayward Plunge at 8:30 a.m. A handout was submitted for the record.

CONSENT CALENDAR

1. Approval of Minutes of the City Council Meeting on July 28, 2009

It was moved by Council Member Henson, seconded by Council Member Dowling, and carried unanimously, to approve the minutes of City Council Meeting of July 28, 2009.

2. Adoption of Technology Strategic Plan

Staff report submitted by Technology Services Director Priest, dated September 1, 2009, was filed.

It was moved by Council Member Henson, seconded by Council Member Dowling, and carried unanimously, to adopt the following:

Resolution 09-130, "Resolution Adopting the City of Hayward 2009 Technology Strategic Plan"

3. Filing Nuisance Abatement Lien Notices with County Recorder's Office (Nuisance Abatement/Municipal Code Violations) for Non-Abatable Code Violations

Staff report submitted by Neighborhood Partnership Manager Sorensen, dated September 1, 2009, was filed.

It was moved by Council Member Henson, seconded by Council Member Dowling, and carried unanimously, to adopt the following:

Resolution 09-131, "Resolution Confirming the Report and Lien List Associated with Overdue Community Preservation Charges for the 2008 Calendar Year and First Half of the 2009 Calendar Year"

4. Resignation of Dee Dee Ligibel and Carolyn Grieco from the Keep Hayward Clean and Green Task Force

Staff report submitted by City Clerk Lens, dated September 1, 2009, was filed.



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It was moved by Council Member Henson, seconded by Council Member Dowling, and carried unanimously, to adopt the following:

Resolution 09-132, "Resolution Accepting the Resignations of Dee Dee Ligibel and Carolyn Grieco from the Keep Hayward Clean and Green Task Force and Related Actions"

5. Adoption of an Ordinance Amending the Zoning District Map of Chapter 10, Article 1 of the Hayward Municipal Code by Rezoning a Parcel from Single-Family Residential (RS) District to Planned Development (PD) District Pursuant to Zone Change Application No. 2008-0280 (*1798 D Street between Seventh Street and San Felipe Park*)

Staff report submitted by City Clerk Lens, dated September 1, 2009, was filed.

It was moved by Council Member Henson, seconded by Council Member Dowling, and carried unanimously, to adopt the following:

Ordinance 09-09, "Ordinance Amending the Zoning District Map of Chapter 10, Article 1 of the Hayward Municipal Code by Rezoning a Parcel from Single-Family Residential (RS) District to Planned Development (PD) District Pursuant to Zone Change Application No. 2008-0280"

6. Acceptance of the 2009 California Gang Reduction, Intervention and Prevention Program Grant

Staff report submitted by Youth and Family Services Bureau Manager Beard, dated September 1, 2009, was filed.

It was moved by Council Member Henson, seconded by Council Member Dowling, and carried unanimously, to adopt the following:

Resolution 09-133, "Resolution Authorizing the City Manager to Execute an Agreement with the California Emergency Management Agency to Implement the 2009 Gang Reduction, Intervention and Prevention Program Grant"

7. Acceptance of the Office of Community Oriented Policing Services (COPS) Hiring Recovery Program Grant

Staff report submitted by Police Analyst Davis, dated September 1, 2009, was filed.

It was moved by Council Member Henson, seconded by Council Member Dowling, and carried unanimously, to adopt the following:

Resolution 09-134, "Resolution Authorizing the City Manager to Execute an Agreement with the United States Department of Justice to Implement the 2009 Cops Hiring Recovery Program Grant"

8. Authorization for the City Manager to Execute a Professional Services Agreement with Teri Black and Company to Conduct Executive Recruitments and Appropriate Funds

Staff report submitted by Senior Human Resources Analyst Williams, dated September 1, 2009, was filed.

It was moved by Council Member Henson, seconded by Council Member Dowling, and carried unanimously, to adopt the following:

Resolution 09-135, "Resolution Authorizing the City Manager to Negotiate and Execute a Professional Services Agreement with Teri Black & Company to Recruit a Human Resources Director and a Library and Neighborhood Services Director and Appropriate Funds"

9. Downtown Electrical Service Improvement Project: Approval of Plans and Specifications and Call for Bids

Staff report submitted by Deputy Director of Public Works Fakhrai, dated September 1, 2009, was filed.

It was moved by Council Member Henson, seconded by Council Member Dowling, and carried unanimously, to adopt the following:

Resolution 09-136, "Resolution Approving Plans and Specifications for the Downtown Electrical Service Improvement Project – Project No. 5089 and Call for Bids"

COUNCIL REPORTS

There were none.

ADJOURNMENT:

Mayor Sweeney adjourned the meeting at 8:24 p.m., in memory of Reverend Lee Williamson. Council Member Halliday noted that Rev. Williamson, a leading light in Hayward and retired pastor, passed away on August 29, 2009. Rev. Williamson was the pastor at what is now the South Hayward United Methodist Church and was involved with a variety of organizations. He advocated for the homeless; supported the rights of gays and lesbians; argued for inclusion of church and society; protested the development of nuclear weapon laboratories; traveled to other countries to protest violence and promote human rights; was involved in the coalitions for affordable housing and family emergency shelter; and supported the South Hayward Parish. In 2004 he was a Lifetime



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Achievement Award recipient. Ms. Halliday noted a memorial service was scheduled for Saturday, September 12, 2009, at the First United Methodist Church. She offered condolences to the family on the Council's behalf. Council Member Zermeño suggested that Rev. Williamson's many contributions to the South Hayward community be recognized by dedicating some green space in his name. Council Member Henson agreed that Rev. Williamson's actions deserved recognition. Mayor Sweeney requested that a tree be planted in Rev. Williamson's memory and, if possible, planted in an area that can create additional green space in the South Hayward community.

APPROVED:

Michael Sweeney, Mayor, City of Hayward

ATTEST:

Miriam Lens, City Clerk, City of Hayward